

REMARKS

The Office Action mailed September 29, 2008 has been reviewed and the Examiner's comments carefully considered. Claim 1 has been amended. Claim 4 has been cancelled. Therefore, claims 1-3 and 5-11 remain pending in this application.

Rejection under 35 U.S.C. § 102

Claims 1-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,113,571 to Zinger et al. (hereinafter "Zinger et al."). The rejections are respectfully traversed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Zinger et al. fails to satisfy the requirements of 35 U.S.C. § 102.

Independent claim 1 recites, "a transfer unit for the connection of the dispensing devices that at least comprises connecting channels between two adjacent or opposite dispensing devices, wherein the transfer unit comprises connecting channels between outlets for the components of both dispensing devices and locking members for receiving corresponding locking members on flanges provided on the dispensing devices and the transfer unit having pairs of through-going connecting channels between the outlets of the dispensing devices."

On page 3 of the Office Action, the Examiner asserts that the applicator device 110, the syringes 112, and the fluid control device 148 of Zinger et al. are equivalent to Applicant's arrangement, dispensing devices, and transfer unit respectively. This is untrue. As seen in Figure 1 of Zinger et al., the applicator device 110 has two fluid control devices 148. The applicator device 110 comprises two syringes 112, where each syringe comprises a single body 114. *See* Zinger et al., col. 5, lines 35-40. Each syringe body 114 is connected to a fluid control device 148. *See Id.* at col. 6, lines 28-29. The fluid control device 148 enables fluid flow control between a syringe, a medicinal vessel, and the manifold of the applicator device. *See* Zinger et al. col. 7, lines 4-7. Thus, Zinger et al. discloses two fluid control

devices, where each fluid control device connects to a syringe. Therefore, Zinger et al. fails to disclose, teach, or suggest “a transfer unit for the connection of the dispensing devices that at least comprises connecting channels between two adjacent or opposite dispensing devices,” as recited in claim 1.

On page 3 of the Office Action, the Office asserts that the fluid control device 10 is equivalent to Applicant’s locking members. *See* Office Action, p. 3. Zinger et al., however, discloses that the fluid control device 10 enables fluid flow control between a syringe, a medicinal vessel, and the manifold of the applicator device 110. *See* Zinger et al., col. 7, lines 4-7. Thus, Zinger et al. fails to disclose that the fluid control device 10 is equivalent to Applicant’s locking members, which are configured for “receiving corresponding locking members on flanges provided on the dispensing devices,” as recited in claim 1.

On pages 4-5 of the Office Action, the Office asserts that the fluid control device 67, the internal apertures 78’’ and 79’’, and the fluid conduit members 78’ and 79’ are equivalent to Applicant’s transfer unit, connecting channels, and outlets respectively. However, Zinger et al. discloses that the fluid conduit members 78’ and 79’ are fashioned as piercing tools for puncturing vials’ rubber stoppers and that the internal apertures 78’’ and 79’’ are internal apertures of the fluid conduit members 78’ and 79’. *See* Zinger et al. col. 11, lines 52-55. Thus, Zinger et al. fails to disclose, teach, or suggest “the transfer unit having pairs of through-going connecting channels between the outlets of the dispensing devices,” as recited in claim 1.

For at least the reasons noted above, withdrawal of the rejection for claim 1 is respectfully requested. Claims 2, 3, and 5-11 depend from independent claim 1. Dependent claims 2, 3, and 5-11 are therefore allowable for at least the reasons set forth above without regard to further patentable limitations contained therein. Reconsideration and withdrawal of the rejection of claims 2, 3, and 5-11 is requested. Claim 4 has been cancelled. Thus, rejection of claim 4 is moot. Reconsideration and withdrawal of the rejection of claim 4 is requested.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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